

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3149-01
Bill No.: HB 1047
Subject: Children and Minors; Courts; Juvenile Courts
Type: Original
Date: January 7, 2002

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON STATE FUNDS | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2003 | FY 2004 | FY 2005 |
| None | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> State Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2003 | FY 2004 | FY 2005 |
| None | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON LOCAL FUNDS | | | |
|--|----------------|----------------|----------------|
| FUND AFFECTED | FY 2003 | FY 2004 | FY 2005 |
| Local Government | \$0 | \$0 | \$0 |

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety – State Highway Patrol, – Division of Liquor Control, Office of Attorney General, and the Office of State Public Defender** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Department of Social Services (DOS)** assume the proposed legislation is not expected to increase the number of commitments to the Division of Youth Services' custody. Therefore, DOS anticipates no fiscal impact.

Officials from the **Office of Prosecution Services** assume the difference in minor traffic offenses could be absorbed by prosecutors.

Officials from the **Office of State Courts Administrator** does not expect any cost to the judiciary as a result of this proposal.

Officials from the **Department of Corrections (DOC)** did not respond to Oversight's request for a fiscal note response. However, in response to an identical proposal from the 2001 session (HB 454), officials from the DOC assumed that they cannot predict the number of new cases which may result from the creation of the offenses(s) outlined in this proposal. An increase in cases depends on the utilization by prosecutors and the actual sentences imposed by the court. If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in costs through supervision provided by the Board of Probation and Parole (FY 99 average of \$2.47 per offender, per day). In summary, supervision by the DOC through probation would result in some additional costs, but it is assumed the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

| <u>FISCAL IMPACT - State Government</u> | FY 2003 (10 Mo.) | FY 2004 | FY 2005 |
|---|---------------------|------------|------------|
| | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |
| <u>FISCAL IMPACT - Local Government</u> | FY 2003 (10 Mo.) | FY 2004 | FY 2005 |
| | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

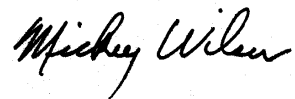
The proposed legislation removes from the original jurisdiction of the juvenile/family courts cases involving violations of state or municipal traffic laws not constituting a felony by children over fifteen years old and violations of tobacco ordinances or regulations by any child.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Department of Social Services
Department of Public Safety
 – State Highway Patrol
 – Division of Liquor Control
Office of Prosecution Services
Office of State Public Defender
Office of Attorney General

NOT RESPONDING: **Department of Corrections**



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January 7, 2002

